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Attorney Docket No. 33775/US/DJB/VEJ  
Application No. 10/764,434

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

**Gerry MAVIN et al.**

Application No. **10/764,434**

Filed: **January 23, 2004**

For: **CLOSURES AND CONTAINERS  
IN COMBINATION THEREWITH**

Art Unit: **3727**

Examiner: **James N. Smalley**

Docket No.: **33775/US/DJB/VEJ**

*Certificate of Mail (37 C.F.R. § 1.8(a))*

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Patricia A. Diehl

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

| 11/01/2005 AKELECH1 00000024 10764434  
| 01 FC:1806 180.00 OP

This Supplemental Information Disclosure Statement is hereby submitted in accordance with 37 C.F.R. 1.98 and pursuant to Applicant's continuing duty under 37 C.F.R. 1.56 to bring any information which may be material to patentability of this application to the Examiner's attention. The Examiner's attention is directed to the reference(s) cited on the accompanying substitute for form PTO-1449A/PTO. Except for U.S. Patents and U.S. Patent Application Publications, *see* 37 C.F.R. § 1.98(a)(2)(i), copies of the cited references are enclosed, unless otherwise noted below. It is further understood that the Examiner will also consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. M.P.E.P. § 609 (I)(A)(2).

Applicant also makes no representation that the information submitted herewith is in fact material to patentability. The filing of this Information Disclosure Statement shall not be

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construed as an admission against interest in any manner. Notice of January 9, 1992, 11 O.G. 13-25, at 25.

This Information Disclosure Statement is being filed after the mailing date of a first Office action on the merits, but before the mailing date of any of a final action, a notice of allowance, or an action that otherwise closes prosecution in the application. 37 C.F.R. § 1.97(c). Enclosed is our check in the amount of \$ 180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

In accordance with 37 C.F.R. § 1.98(a)(3) and M.P.E.P. § 609 (III)(A)(3), the non-English language documents, FR 2,450,756 A and FR 2,780,955 A, were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of the enclosed English language European search report for counterpart Application No. EP 03257233.1 indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 O.G. 37, 38.

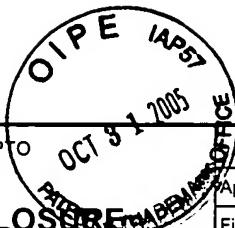
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Respectfully submitted,

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Date: October 28, 2005

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)				Application Number <b>10/764,434</b> Filing Date <b>January 23, 2004</b> First Named Inventor <b>Gerry Marvin et. al.</b> Art Unit <b>3727</b> Examiner Name <b>James N. Smalley</b>	
Sheet	<b>1</b>	of	<b>1</b>	Attorney Docket Number <b>33775/US/RBC/VEJ (463678-00226)</b>	

<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
B1					
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<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
B11	FR 2,450,756 A		10-03-1980	Deussen Stella KG	
B12	FR 2,780,955 A		01-14-2000	Lepine Jacques	
B13	GB 2,374,068		10-09-2002	Portola Packaging Limited	
B14					
B15					

<b>NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>6</sup>
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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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